

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JONATHAN MONTE CORNISH	:	CIVIL ACTION
	:	
v.	:	
	:	
GERALD ROZUM, et al.	:	NO. 08-5672

ORDER

AND NOW, this 11th day of February, 2010, upon consideration of Jonathan Monte Cornish's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (docket entry # 1), the Commonwealth's response thereto (docket entry # 8), Cornish's reply (docket entry # 10), and after careful and independent review of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo, to which no one filed objections within the time that Local R. Civ. P. 72.1 IV(b) prescribes, and the Court finding that in Judge Restrepo's well-reasoned Report and Recommendation he properly examined all issues of fact and law that Cornish raised in his petition, it is hereby ORDERED that:

1. The Clerk of Court shall TRANSFER this case from our Civil Suspense docket to our Active docket;
2. The Report and Recommendation (docket entry # 12) is APPROVED and ADOPTED;

3. Cornish's petition for writ of habeas corpus
(docket entry # 1) is DENIED;

4. Cornish having failed to make a substantial showing
of the denial of a constitutional right, we decline to issue a
certificate of appealability; and

5. The Clerk of Court shall CLOSE this case
statistically.

BY THE COURT:

/s/ Stewart Dalzell, J._____